REMARKS

I. Formalities

Applicant thanks the Examiner for acknowledging the claim for priority under 35

U.S.C. § 119, and receipt of the certified copy of the priority document submitted on April 20,

2001.

However, the Examiner did not sign and forward a copy of the PTO 1449 Form

submitted by Applicant with the Information Disclosure Statement filed on January 8, 2004.

Accordingly, Applicant respectfully requests that the Examiner sign the aforementioned PTO

1449 Form, initial the references cited therein, and return it along with the next office paper.

II. Status of the Application

By the present Amendment, claims 43-45 are hereby added to cover more fully various

implementations of the invention. Claims 1-45 are all the claims pending in the Application,

with claims 1, 15, and 29 being in independent form.

III. Specification Objection

The Examiner has objected to the Specification for various informalities. The

informalities noted by the Examiner have been corrected as set forth above. Thus, Applicant

respectfully requests that the Examiner withdraw this objection.

IV.   Drawings

The Examiner has objected to the drawings because Figure 4 does not include a reference sign mentioned in the description. Accordingly, Applicant has corrected Figure 4 as set forth above. Thus, Applicant respectfully requests that the Examiner withdraw this objection.

V.   Claim Rejections under 35 U.S.C. § 103 – Howard in view of Weller

The Examiner has rejected claims 1-3, 5-17, 19-31, and 33-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/02046 10 to Howard *et al.* (hereinafter "Howard") in view of U.S. Publication No. 2003/0212642 to Weller *et al.* (hereinafter "Weller"). This rejection is respectfully traversed.

In order for the Examiner to maintain a rejection under 35 U.S.C. § 103, Howard, Weller, or some combination thereof, must teach or suggest <u>all</u> of the limitations of claims 1-3, 5-17, 19-31, and 33-42. Applicant respectfully submits that neither Howard, Weller, nor any combination thereof, teaches or suggests all the limitations of claims 1-3, 5-17, 19-31, and 33-42.

A.   Independent Claim 1

Independent claim 1 recites:

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said authentication server has… a function
of processing charges based on said settling
account information registered in said
database…
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The Examiner acknowledges that Howard does not teach or suggest a database for storing settling account information required to process a charge, as recited in claim 1. *See* Office

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Action page 3, paragraph 1. The Examiner also acknowledges that Howard does not teach or suggest an authentication server, which has a function of processing charges based on settling account information registered in a database, as recited in claim 1. *See* Office Action page 3, paragraph 1. Applicant agrees with the Examiner that Howard does not teach or suggest either of the aforementioned features.

However, in an attempt to cure the deficient teachings of Howard, the grounds of rejection rely on Weller, alleging that the access control server 114, as taught in Weller, corresponds to an authentication server as recited in claim 1. Applicant respectfully disagrees with the grounds of rejection, and submits that neither Howard, Weller, nor any combination thereof, teaches or suggests an authentication server that has a function of processing charges based on settling account information registered in a database, as recited in claim 1.

In contrast to the requirements of claim 1, Weller teaches an online service for authenticating the identity of a payer during online transactions. *See* page 1, paragraph 0007. Indeed, Weller teaches that, during an online payment transaction, the access control server 114 controls access to the Payer Authentication Service and validates cardholder participation in the service by verifying a cardholder's identity using a variety of different authentication methods, such as the use of passwords. *See* page 3, paragraph 0036; page 1, paragraph 0007. Specifically, Weller teaches that, during an online payment transaction, a merchant queries access control server 114 to determine if a cardholder is enrolled in a Payer Authentication Service. *See* page 1, paragraph 0008. Accordingly, Weller teaches that a password is requested from the cardholder and that the access control server 114 verifies this password, and then notifies the merchant of

the authenticity of the cardholder—if the password entered by the cardholder is authenticated.
See page 1, paragraph 0008.

That is, Weller teaches that the access control server 114 is designed to authenticate the identity of the user of a specific card. *See* page 3, paragraph 0036. However, Weller does <u>not</u> teach or suggest that access control server 114 <u>processes</u> charges based on settling account information registered in a database, as recited in claim 1. In fact, Weller teaches quite the opposite—that, if the access control server 114 confirms the identity of the consumer, the consumer's authentication is sent back to the merchant and, then, as conventionally performed, the payment transaction is <u>processed</u> by the <u>merchant</u> and <u>not</u> by the access control server 114. *See* page 2, paragraph 0034. As shown in Figure 8, for example, Weller teaches that after the password is validated by the access control server 712 (in step 4), a digitally signed PARes message is sent to the merchant from the access control server 712 informing the merchant that the transaction is authenticated. *See* column 9, paragraph 0091. Subsequently, as taught in Weller, (in step 6) the merchant's storefront software 722 sends the payment data to the <u>merchant's payment system</u> (i.e., <u>not</u> by the access control server 114) for processing. *See* column 9, paragraph 0091.

Therefore, Weller fails to teach or suggest that access control server 114 has a function of <u>processing</u> charges based on settling account information registered in a database, as recited in claim 1. Moreover, Howard (as acknowledged by the Examiner on page 3, paragraph 1 of the Office Action) does not cure the deficient teachings of Weller. Accordingly, neither Howard, Weller, nor any combination thereof teaches or suggests an authentication server that has a

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function of <u>processing</u> charges based on settling account information registered in a database, as recited in claim 1.

Thus, Applicant respectfully submits that independent claim 1 is allowable over Howard, Weller, and any combination thereof, for *at least* these reasons. Further, Applicant submits that claims 1-3 and 5-14 are also patentable over Howard, Weller, and any combination thereof, *at least* by virtue of their dependency on claim 1.

Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

B.   Independent Claim 15

Independent claim 15 recites:

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said authentication server has... a step of
processing charges based on said settling
account information registered in said
database...
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In view of the similarity between this recitation and the recitation discussed above with respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to the patentability of independent claim 1 apply by at least analogy to independent claim 15. As such, it is respectfully submitted that claim 15 is patentably distinguishable over Howard, Weller, and any combination thereof, for *at least* these reasons. Further, Applicant submits that claims 16-17 and 19-28, are also patentable over Howard, Weller, and any combination thereof, *at least* by virtue of their dependency on claim 15.

Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

C. Independent Claim 29

Independent claim 29 recites:

> said authentication server has... a step of
> processing charges based on said settling
> account information registered in said
> database...

In view of the similarity between this recitation and the recitation discussed above with

respect to independent claim 1, Applicant respectfully submits that the foregoing arguments as to

the patentability of independent claim 1 apply by at least analogy to independent claim 29. As

such, it is respectfully submitted that claim 29 is patentably distinguishable over Howard,

Weller, and any combination thereof, for *at least* these reasons. Further, Applicant submits that

claims 30-31 and 33-42 are also patentable over Howard, Weller, and any combination thereof,

at least by virtue of their dependency on claim 29.

Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

VI. Claim Rejections under 35 U.S.C. § 103 – Howard in view of Scroggie

The Examiner has rejected claims 4, 18, and 32 under 35 U.S.C. § 103(a) as being

unpatentable over Howard, as applied to claims 1, 15, and 29, and further in view of U.S.

Publication No. 2002/0120496 to Scroggie *et al.* (hereinafter "Scroggie"). This rejection is

respectfully traversed.

As an initial matter, Applicant notes that the Examiner acknowledges that, considered

alone, Howard does not teach or suggest all the limitations of independent claims 1, 15, and 29,

respectively. *See* Office Action page 3, paragraph 1. Therefore, according to the most plausible

grounds of rejection, the Examiner has rejected claims 4, 18, and 32 (which depend from claims

1, 15, and 29, respectively) under 35 U.S.C. § 103(a) as being unpatentable over Howard and

Weller, and further in view of Scroggie.

As discussed above, neither Howard, Weller, nor any combination thereof, teaches or

suggests all the recitations positively set forth in independent claims 1, 15, and 29. Hence,

claims 4, 18, and 32 incorporate all the novel and non-obvious features of their base claims 1, 15,

and 29, respectively. Moreover, Scroggie does not cure the deficient teachings of Howard and

Weller. Specifically, Scroggie fails to teach or suggest an authentication server that has a

function or a step of processing charges based on settling account information registered in a

database, as recited in independent claims 1, 15, and 29. Accordingly, Applicant submits that

claims 4, 18 and 32 are patentable over Howard, Weller, Scroggie, and any combination thereof,

at least by virtue of their dependency on 1, 15, and 29, respectively.

Thus, Applicant respectfully requests that the Examiner withdraw this rejection.

VII.   New Claims

Applicant submits that new claims 43-45 are allowable *at least* by virtue of their

dependency on claims 1, 15, and 29, respectively, and for the recitations set forth therein.

VIII.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the
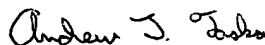
Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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